

**Search Warrants**

1730. SHRI JAI PRAKASH AGARWAL : Will the Minister of HOME AFFAIRS be pleased to state :

- (a) whether a police officer can search the house premises of a person without making investigation to verify the correctness of the accusations before resorting to search;
- (b) if so, the section of the IPC/CrPC and the circumstances under which the officer can do so;
- (c) the safeguards available under the law to the affected person if later on it is established that the person searched upon was innocent; and
- (d) the action provided in the Constitution against such police officer who acts in a rash manner ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR) : (a) and (b) Under the provisions of Section 165 of the Code of Criminal Procedure, 1973, a police officer may search any place for bona fide investigation of any offence, after recording in writing the grounds for doing so and specifying the thing for which the search is being made.

(c) and (d) Safeguards are built into the provisions of Section 165 (1) to (5) such as the recording of reasons for the search, observing the requirements under Section 100, Code of Criminal Procedure, 1973 which provides for the presence of two independent respectable persons to be witness to the search, forthwith sending the records to the nearest Magistrate and furnishing a copy to the occupier of the place searched. While conducting a search, if a Police Officer acts in contravention of the law, action can be taken against him in accordance with the relevant provisions of the Indian Penal Code.

**Bhopal Gas Tragedy**

1731. SHRI SUSHIL CHANDRA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

- (a) the total amount of compensation so far paid to the victims of the Bhopal gas tragedy of 1984;
- (b) the different categories under which the compensation has been paid and the extent of amount falling under each of these categories; and
- (c) the total money out of the amount deposited by the Union Carbide still lying with the Supreme Court of India ?

THE MINISTER OF STATE OF THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SIS RAM OLA) : (a) An amount of Rs. 881.88 crores has been paid to the gas victims till 31.01.1997.

(b) The following amount of compensation has been paid to the gas victims under various categories upto 31.01.1997.

01 Category (Personal injury) Rs. 808.57 crores

04 Category (Death) Rs. 73.31 crores

(c) No amount out of the money deposited by the Union Carbide is lying with the Supreme Court of India.

**Courts for Bhopal Gas Tragedy Victims**

1732. SHRI SUSHIL CHANDRA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

- (a) the number of courts of Deputy Commissioners presently functioning at Bhopal under the Bhopal Gas Leak Disaster (Processing of claims) Act and the number out of them are functioning without the presiding officers;
- (b) the number of Additional Commissioners posted to hear the appeals under the aforesaid Act;
- (c) the number of posts lying vacant; and
- (d) the time by which these posts are likely to be filled up ?

THE MINISTER OF STATE OF THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SIS RAM OLA) :

- (a) Presently 37 claims tribunals are functioning for the disposal of cases. For filing of new claims, 56 courts are functioning and Deputy Commissioners have been made in-charge of more than 1 court.
- (b) 6 Additional Commissioners have been posted for disposal of the appeals.
- (c) 4 posts of Additional Commissioners (Judicial) are vacant.
- (d) The posts will be filled up as and when the judges are made available by the Madhya Pradesh High Court.

**Action Plan for Bhopal Gas Tragedy**

1733. SHRI SUSHIL CHANDRA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

- (a) whether the period of the action plan of the Bhopal Gas Leak Tragedy has been extended;
- (b) if so, the details thereof;
- (c) the enlarged scope of the action plan alongwith the pattern of sharing the items between the Union Government and the State Government of Madhya Pradesh;
- (d) whether the Government of Madhya Pradesh have submitted audited statement of the expenditure incurred under the action plan; and
- (e) if not, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SIS RAM OLA) :

- (a) to (c) The period of the Action Plan has been extended

upto 31.03.1997. The Action Plan outlay has been enhanced by Rs. 25.40 crores to cover the escalation in the cost of capital works of various schemes which could not be completed. The pattern of sharing of expenditure between the Union Government and the State Government of Madhya Pradesh is in the ratio of 75:25 respectively.

(d) and (e) The Government of Madhya Pradesh have not submitted the full audited statements of the expenditure incurred under the Action Plan and have stated that effort is being made by them to get the audit certificate from the Accountant General of Madhya Pradesh.

#### **Road Accidents in Delhi**

1734. SHRI AMAR ROY PRADHAN :  
SHRI I.D. SWAMI :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) the number of deaths due to road accidents in Delhi along with their comparative figure with the other metropolitan cities during the last two years till today;

(b) whether the bad condition of roads in Delhi and a large number of vehicles contribute towards road accidents; and

(c) if so, the steps proposed to be taken to reduce the number of vehicles on the roads so as to improve the quality and maintenance of the roads and to start mass rapid transport system in Delhi ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR) : (a) As per information presently available with National Crimes Records Bureau, the number of persons who died in road accidents in Delhi and three other metropolitan cities during the last two years is as under :—

Sl. No.	City	1995	1996
1.	Calcutta	480	353
2.	Chennai	500	736
3.	Delhi	2090	2091
4.	Mumbai	837	753

(The data for the year 1996 in respect of Calcutta and Chennai relates to the period from January to September and in case of Mumbai upto November).

(b) These factors do contribute to road accidents.

(c) The Government recently approved introduction of a Mass Rapid Transit System in Delhi to relieve congestion on Delhi roads.

#### **Assassination of Rajiv Gandhi**

1735. SHRI RAMESH CHENNITHALA :  
DR. MURLI MANOHAR JOSHI :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether the inquiry in the Rajiv Gandhi assassination case is nearing completion;

(b) if so, the stage at which it stands today;

(c) the time by which it is likely to be completed;

(d) whether the president of the Indian National Congress has complained about the non-cooperation by the Government with the Jain Panel;

(e) if so, the reaction of the Government thereto; and

(f) the time by which the Commission is likely to submit its report ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR) : (a) to (c) and (f) The Jain Commission of Inquiry has not concluded its inquiry and its current term is upto 31st August, 1997.

(d) and (e) The President of All India Congress Committee has written to the Prime Minister requesting for rendering all the assistance possible to complete its onerous task and give further extension of six months beyond 28th February 1997. The Government has extended the term of the Commission upto 31st August 1997 and is committed to extend all possible cooperation to the Commission for completion of its inquiry.

#### **Land Occupied by CRPF**

1736. SHRI JANG BAHADUR SINGH PATEL : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether CRPF have forcibly occupied the cultivable land of the farmers in Allahabad to set up their camp office and are not vacating the land;

(b) whether the farmers have petitioned the Central Government to get their land vacated and quoted the orders of the Allahabad High Court not to dispossess them of their land;

(c) whether some of the Members of Parliament have also brought the fact to the notice of the Government and requested them to ask the CRPF to set up their office on the other land lying nearby not under cultivation;

(d) if so, whether the CRPF have since vacated the cultivable land;

(e) whether the Government propose to direct the CRPF to vacate the land immediately; and

(f) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR) : (a) No Sir.